

Philip A. Goldstein (PAG 0908)
McGuireWoods LLP
1345 Avenue of the Americas, 7th Floor
New York, New York 10105-0106
(212) 548-2100
Attorneys for Defendants

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

----- X
MARLON HATTIMORE,

Plaintiff,

v.

GENERAL NUTRITION CORPORATION, NEIL
BLITZER (INDIVIDUAL AND IN OFFICIAL
CAPACITY),

Defendants.

: ECF Case
: Case No. 08 Civ. 6865
: (LTS)(HBP)
: **MOTION TO ADMIT**
: **COUNSEL PRO HAC VICE**
:
:
: X

PURSUANT TO RULE 1.3(c) of the Local Rules of the United States District

Courts for the Southern and Eastern Districts of New York, I, Philip A. Goldstein, a
member in good standing of the bar of this Court, hereby move for an Order allowing the
admission pro hac vice of Kimberly Q. Cacheris, Esq., McGuireWoods LLP, Bank of
America Corporate Center, 100 North Tryon Street, Suite 2900, Charlotte, NC 28202,
Telephone (704) 373-8954, Facsimile (704) 373-8825.

Kimberly Q. Cacheris is a member in good standing of the Bar of the State of North Carolina. There are no pending disciplinary proceedings against Kimberly Q. Cacheris in any State or Federal court.

Dated: August 28, 2008
New York, New York

Respectfully submitted,



Philip A. Goldstein, Esq. (PAG-0908)
McGuireWoods LLP
1345 Avenue of the Americas, 7th Floor
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UNITED STATES DISTRICT COURT
 SOUTHERN DISTRICT OF NEW YORK

----- X
 MARLON HATTIMORE, : ECF Case
 Plaintiff, :
 : Case No. 08 Civ. 6865
 : (LTS)(HBP)
 v. :
 : **AFFIDAVIT OF PHILIP A.**
 GENERAL NUTRITION CORPORATION, NEIL : **GOLDSTEIN IN SUPPORT**
 BLITZER (INDIVIDUAL AND IN OFFICIAL : **OF MOTION TO ADMIT**
 CAPACITY), : **COUNSEL PRO HAC VICE**
 :
 Defendants. :
 ----- X

STATE OF NEW YORK)
) ss:
 COUNTY OF NEW YORK)

Philip A. Goldstein, being duly sworn, hereby deposes and says as follows:

1. I am an associate with the law firm of McGuireWoods, LLP, counsel for Defendants in the above captioned action. I am familiar with the proceedings in this case. I make this statement based on my personal knowledge of the facts set forth herein and in support of Defendants' motion to admit Kimberly Q. Cacheris as counsel pro hac vice to represent Defendants in this matter.

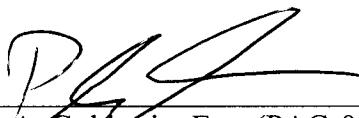
2. I am a member in good standing of the bar of the State of New York, and was admitted to practice law in 2002. I also am admitted to the bar of the United States District Court for the Southern District of New York, and am in good standing with this Court.

3. I have known Kimberly Q. Cacheris since 2007.
4. Kimberly Q. Cacheris is a partner at McGuireWoods, LLP in Charlotte, North Carolina and is a member in good standing of the Bar of the State of North Carolina as shown in the Certificate of Good Standing annexed hereto as Exhibit A.
5. I have found Kimberly Q. Cacheris to be a skilled attorney and a person of integrity. She is experienced in Federal practice and is familiar with the Federal Rules of Procedure.
6. Accordingly, I am pleased to move the admission of Kimberly Q. Cacheris, pro hac vice.
7. I respectfully submit a proposed order granting the admission of Kimberly Q. Cacheris, pro hac vice, which is attached hereto as Exhibit B.

WHEREFORE it is respectfully requested that the motion to admit Kimberly Q. Cacheris, pro hac vice, to represent Defendants in the above captioned matter, be granted.

Dated: August 28, 2008
New York, New York

Respectfully submitted,



Philip A. Goldstein, Esq. (PAG-0908)
McGuireWoods LLP
1345 Avenue of the Americas, 7th Floor
New York, New York 10105-0106
(212) 548-2100

Sworn to before me this 28th
day of August, 2008



Notary

EILEEN CHIN
Notary Public, State of New York
No. 01CH6075750
Qualified in New York County
Commission Expires June 10, 2010

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UNITED STATES DISTRICT COURT

Western

DISTRICT OF

North Carolina

**CERTIFICATE OF
GOOD STANDING**

I, Frank G. Johns, Clerk of this Court,

certify that Kimberly Quade Cacheris, Bar # 20087,

was duly admitted to practice in this Court on

9/23/1993

, and is in good standing

DATE

as a member of the Bar of this Court.

Dated at Charlotte, NC on 8/26/2008.
LOCATION DATE


CLERK


DEPUTY CLERK

Philip A. Goldstein (PAG 0908)
 McGuireWoods LLP
 1345 Avenue of the Americas, 7th Floor
 New York, New York 10105-0106
 (212) 548-2100
 Attorneys for Defendants

UNITED STATES DISTRICT COURT
 SOUTHERN DISTRICT OF NEW YORK

<hr/> MARLON HATTIMORE, Plaintiff, v. GENERAL NUTRITION CORPORATION, NEIL BLITZER (INDIVIDUAL AND IN OFFICIAL CAPACITY), Defendants.	X <hr/> : <u>ECF Case</u> : : Case No. 08 Civ. 6865 : (LTS)(HBP) : : ORDER FOR ADMISSION : PRO HAC VICE ON : <u>WRITTEN MOTION</u> : : X
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Upon the motion of Philip A Goldstein, attorney for Defendants and said sponsor attorney's affidavit in support;

IT IS HEREBY ORDERED that Kimberly Q. Cacheris, Esq., McGuireWoods LLP, Bank of America Corporate Center, 100 North Tryon Street, Suite 2900, Charlotte, NC 28202, Telephone (704) 373-8954, Facsimile (704) 373-8825 is admitted to practice pro hac vice as counsel for Defendants in the above captioned case in the United States District Court for the Southern District of New York. All attorneys appearing before this Court are subject to the Local Rules of this Court, including the Rules governing discipline of attorneys. If this action is assigned to the Electronic Case Filing (ECF)

system, counsel shall immediately apply for an ECF password at nysd.uscourts.gov.

Counsel shall forward the pro hac vice fee to the Clerk of Court.

Dated: New York, New York
_____, 2008

United States District Judge

CERTIFICATE OF SERVICE

This is to certify that I have caused a true and correct copy of the following:

1. Defendants' Motion to Admit Counsel Pro Hac Vice; and
2. Affidavit of Philip A. Goldstein in Support of Motion to Admit Counsel Pro Hac Vice;

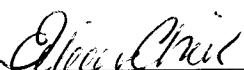
to be served upon plaintiff, Marlon Hattimore, by depositing same via Federal Express overnight delivery to:

Delmas A. Costin, Jr.
208 East 163rd Street
Bronx, NY 10451
Attorneys for Plaintiff

-and-

Daryl Davis, Esq.
Doman Davis LLP
245 Park Avenue, 39th Floor
New York, NY 10167

Dated: August 28, 2008
New York, New York



Eileen Chin